

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 2003-783

November 4, 2003

MATRIX TELECOM  
Request for Waiver of Applicable  
Anti-Slamming Rules

ORDER GRANTING  
REQUEST FOR WAIVER  
OF ANTI-SLAMMING  
RULES

WELCH, Chairman; DIAMOND and REISHUS, Commissioners

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On November 25, 2002, Matrix Telecom, Inc. and International Exchange Communications, Inc. (IECom) made a joint filing with the Commission requesting approval of a transfer of assets (including customer accounts) from IECom to Matrix and for a granting of a waiver from any applicable slamming regulations. This case was originally docketed under Docket No. 2002-728 (now closed).<sup>1</sup> Matrix was granted authority to provide interexchange service on April 27, 1997 in Docket No. 96-665.

Approvals for transfer or sale of assets, otherwise required by 35-A M.R.S.A. § 1101, are no longer necessary because the Commission has exercised authority granted by the Legislature to waive applicability of that section for competitive interexchange carriers. See PUC Rules, Chapter 212.

Unauthorized changes of customers' carriers (slamming) are prohibited by statute and Commission rule. 35-A M.R.S.A. § 7106; Chapter 296. Pursuant to 47 U.S.C. § 258, the Federal Communications Commission adopted regulations for bulk transfers of customers. These regulations apply to both interstate and intrastate service. 47 C.F.R. § 64.1120. A carrier that complies with the provisions (including customer notice requirements) of the regulations is not engaged in slamming. Matrix attached a copy of the customer notice that it has sent to customers. To the extent necessary, we grant Matrix's request for a waiver of Maine slamming rules because of its compliance with the federal regulations.

Finally, Matrix states that it will be using the IECom name with the customers that have been transferred from IECom, and requests approval to do so. No approval is

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<sup>1</sup> Further inquiry established that IECom had undergone bankruptcy proceedings and is no longer in business. We therefore interpreted the original filing by IECom as a request to allow IECom to abandon service and relinquish its certificate of authority and have addressed that matter in Docket No. 2003-782.

necessary, but Matrix's Terms and Conditions should indicate that it is using this d/b/a for certain customers. Matrix shall file necessary revisions to its Terms and Conditions within 30 days after this order.

Dated at Augusta, Maine this 4<sup>th</sup> day of November, 2003.

BY ORDER OF THE COMMISSION

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Dennis L. Keschl  
Administrative Director

COMMISSIONERS VOTING FOR:      Welch  
   Diamond  
   Reishus